

IN THE
Supreme Court of the United States

OCTOBER TERM, 1974

No. 73-1820

PAUL PHILBROOK,

Appellant

—v.—

JEAN GLODGETT, ET AL.

No. 74-132

CASPAR W. WEINBERGER, SECRETARY OF
HEALTH, EDUCATION AND WELFARE,

Appellant

—v.—

JEAN GLODGETT, ET AL.

ON APPEALS FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

Civil Action No. 6550

DOCKET ENTRIES

DATE	FILINGS—PROCEEDINGS
1972	
Mar. 6	Filed Complaint.
Mar. 6	Issued Summons and delivered same to Marshal for service.
Mar. 8	Filed Summons returned served.
Mar. 29	Filed Stipulation for a 20 day extension of time for Defendant Joseph Betit during which he is required to file an Answer of Plaintiffs' Complaint. Mailed copy to attorneys.
Apr. 17	Filed Answer to Defendant Betit and Certificate of Service.
May 10	Filed Stipulation re Answer and Approval thereon.
June 15	Filed Answer of Defendant Elliot Richardson and Certificate of Service.
July 11	At the Call of the Calendar before Judge Coffrin, it was Ordered that this case be passed.
Aug. 16	Filed Motion for Judgment on the Pleadings, Motion for Summary Judgment, Motion to Dismiss for lack of Judgment and Memorandum of Law in support of Motions of Defendant Richardson and Certificate of Service.
Aug. 30	Filed Plaintiffs' Interrogatories to Defendant.

DATE**FILINGS—PROCEEDINGS****1972**

- Sept. 8** In Chambers before Judge Coffrin, hearing on allegations in Defendant Betit's Answer; and on Class Action treatment and Propriety of 3-Judge Court. Richard S. Kohn, Esq., for Plaintiffs. David E. Wilson, Ass't. Attorney General for Defendant Joseph Betit and Norman Cohen, Ass't. U.S. Attorney for Government.
- Sept. 8** Statements made to Court by all attorneys.
- Sept. 8** Court makes inquiries of all attorneys.
- Sept. 8** Parties to submit memorandums.
- Sept. 20** Filed Plaintiffs' Memorandum of Law.
- Oct. 23** Filed Defendant Betit's Memorandum of Law.
- Nov. 15** Filed Plaintiffs' Memorandum concerning average monthly payments under AFDC-UF and unemployment insurance.
- Dec. 11** Filed Motion of Roger C. and Arlene M. Derosia and Larry, Harold, Arthur, Mary and Brian Derosia to Intervene.

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- Feb. 8** Filed Designation of 3-Judge Court.
- Feb. 24** Filed Stipulation re agreed facts.
- Mar. 2** Filed Defendant's answer to interrogatories.
- Mar. 5** In Court before Judge Oakes, Holden and Coffrin. Richard S. Kohn, Esq., and Nancy Kaufman, Esq., for Plaintiffs. Benson Scotch, Esq., for Defendant Commissioner of the Vermont Department of Social Welfare. William Gray and Carter LaPrade, Ass't. U.S. Attorneys for Defendant Elliot Richardson, individually, etc.

DATE	FILINGS—PROCEEDINGS
1973	
Mar. 5	Hearing on Government's Motion for Judgment on the pleadings; Motion for Summary Judgment; Motion to Dismiss for lack of Jurisdiction.
Mar. 5	Statements made to Court by Mr. LaPrade in support of said Motions; followed by Mr. Scotch for State of Vermont.
Mar. 5	Statements in opposition to said Motions made by Mr. Kohn for plaintiffs.
Mar. 5	Further statements made to Court by Mr. LaPrade in rebuttal to statements made by Mr. Kohn; followed by Mr. Scotch for State of Vermont.
Mar. 5	ORDERED: Plaintiffs have until March 15, 1973, to file memorandum; and Defendants have until March 25, 1973, to file reply memorandum.
Mar. 5	Hearing on Motion of Roger C. and Arlene M. Derosia and Larry, Harold, Arthur, Mary and Brian Derosia to intervene.
Mar. 5	No one objecting thereto, it is ORDERED: Motion to Intervene granted.
Mar. 5	Filed Complaint of Intervenors.
Mar. 16	Filed Plaintiffs' Motion for Leave to File Amended Complaint.
Mar. 16	Filed Plaintiffs' Memorandum of Law.
Mar. 27	Filed Government's Memorandum of Law.
Apr. 10	Filed Government's Memorandum of Law.
Apr. 18	Filed Memorandum of Law Concerning Jurisdiction (Pltfs.).
Apr. 20	Filed Order granting amended Complaint of pltf. intervenors. Mailed copy.
May 4	Filed Government's memorandum of law.

DATE	FILINGS—PROCEEDINGS
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1973

- May 23 Filed Pltfs' Memorandum of Law.
- Oct. 3 Filed motion of Robert and Tianna Spicer and Samantha and Stephanie Perry to intervene.
- Oct. 23 Filed Opinion of Three-Judge Court. Mailed copy to Attys.
- Nov. 6 Filed plaintiffs' motion for rehearing on dismissal of the class action.
- Nov. 6 Filed memorandum of law in support of plaintiffs' motion for rehearing on dismissal of the class action.
- Dec. 17 Filed Defendant's motion for new trial.

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- Jan. 8 Filed Supplemental Opinion and Order; Motion for new trial denied—in submitting a decree, appropriate language to insure that the decree runs for the benefit of all others similarly situated in the future is hereby directed to be included—Class action designation is refused. Mailed copy to Attys.
- Jan. 18 Filed Motion to Intervene and for Temporary Relief of Tina, William and Sean Sarazin.
- Jan. 18 Filed Affidavit of William Sarazin.
- Jan. 18 Filed Memorandum of Law of William and Mary Sarazin.
- Jan. 23 In open Court before Judge Holdren. Mary Skinner, Esq., for Intervenors. David L. Kalib, Ass't. Attorney General for Defendant Betit, William Gray, Ass't. U.S. Attorney for Defendant Elliot Richardson.
- Jan. 23 Hearing on Plaintiffs' Motion to Intervene and for Temporary Relief.

DATE

FILINGS—PROCEEDINGS

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- Jan. 23 Statements made to Court by Mrs. Skinner in support of her motion and for temporary relief, objected to by Mr. Kalib.
- Jan. 23 Statements made to Court by Mr. Gray who states they could probably get an order as early as next week and the issue at stake could be decided.
- Jan. 23 Further statements made to Court by Mr. Kalib followed by Mrs. Skinner.
- Jan. 23 ORDERED: that the Petition to Intervene will be granted.
- Jan. 23 Filed Plaintiffs' Amended Complaint of Intervention.
- Jan. 24 Issued Summons re Intervenors.
- Jan. 25 Filed Stipulation.
- Jan. 25 Filed Order—The intervention of Mary and William Sarazin is allowed—Defts. restrained from refusing to grant Pltff. ANFC-UF as of 1/28/74 for so long as Pltff remains eligible and foregoes receipt of Vermont unemployment compensation benefits. Copy mailed to attys.
- Jan. 28 Filed Summons returned served as to Defts. Paul R. Philbrook, etc. and Caspar W. Weinberger, etc.
- Feb. 12 Filed Transcript of Hearing on March 5, 1973 before Three-Judge Panel.
- Feb. 20 Filed Order of Judgment of Three Judge Court. Copy mailed to attorneys.
- Feb. 26 Filed Defendants' Motion to Stay, including Supersedeas in District Court and Memorandum in support of Motion.